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Civil Rights, Constitutional Law, Injury & Tort Law

Ramirez-Llueveras v. Rivera-Merced, No. 11-2339

In an action arising out of the unwarranted shooting death of a civilian by defendant on-duty police officer, in which the plaintiffs sued the officer, his two fellow officers on the scene, and five supervisors under 42 U.S.C. section 1983 for violating the decedent's Fourth Amendment rights by causing his wrongful death: 1) the grant of summary judgment against plaintiffs' supervisory liability claims against each of the supervisors is affirmed; and 2) the Commonwealth's appeal from the earlier partial denial of the Rule 12(c) motion as to these same defendants is dismissed.

Immigration Law

Lin v. Holder, No. 12-2134

A petition for review of the order of removal through voluntary departure is denied, where: 1) the record does not compel the conclusion that petitioner entered into her marriage in good faith; and thus, 2) the decisions by the Board of Immigration Appeals and the Immigration Judge are supported by reasonable, substantial, and probative evidence on the record considered as a whole.

Contracts, Environmental Law, Water Law

Friends of Merrymeeting Bay v. Hydro Kennebec, LLC, No. 13-1220

In two citizen enforcement suits containing claims under the Endangered Species Act (ESA), and the Clean Water Act (CWA), summary judgment in favor of defendants who operate four hydroelectric dams on the CWA claims is vacated and remanded, where the district court erred by entering judgment in favor of defendants without properly considering the record as a whole in the light most favorable to plaintiffs.

Immigration Law

Moura v. Holder, No. 13-2046

The Board of Immigration Appeals (BIA) did not err in denying petitioner's withholding of removal claim, where petitioner was not entitled to avoid removal based on the threats made by his daughter's former boyfriend, where the BIA did not err in finding that: 1) petitioner feared harm resulting from a personal dispute, and so he has not suffered past persecution on account of a protected ground; and 2) petitioner has failed to establish a well-founded fear of future persecution.

Criminal Law & Procedure, Immigration Law

Kaufmann v. Holder, No. 13-2432

A petition for review of the Board of Immigration Appeals' (BIA) decision finding petitioner removable after he was convicted under Connecticut law for possession of child pornography, is denied, where the BIA correctly concluded that the plea colloquy necessarily established that the conviction did not fall outside the scope of the federal statute's definition of an aggravated felony of child pornography.